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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,436	12/06/2001	Vijayen S. Veerasamy	3691-356	8233
7590 03/02/2004			EXAM	INER
NIXON & VANDERHYE P.C.			CHEN, BRET P	
8th Floor			ART UNIT	PAPER NUMBER
1100 North Glebe Road Arlington, VA 22201-4714			1762	
			DATE MAILED: 03/02/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary TA MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply			Application No.	Applicant(s)				
B. Chen 1762 - Th. MALLING DATE of this communication appears on th cover sheet with the correspondence address Period for Reply A. SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. THE MALLING DATE OF THIS COMMUNICATION. If the period for reply specified across is less than this prosessor at 3 °C RR 1.15(b). In no event, thosever, may a reply to b sneely filled since 20 °C MONTH Steam he maining date of this communication. If the period for reply specified across is less than thisty (30) days, are shown with the standary maintenant of theiry (30) days and the 20 °C MONTH Steam he maining date of this communication. If the period for reply specified across is less than thisty (30) days, are shown with the standary maintenant of theiry (30) days and the considered threaty. If the period for reply specified days is less than the shown with the standary maintenant of their group days and provided by the Office later than three morths after the mailing date of this communication, even if threaty filled, may reduce any samed passed than adjustment. Beautiful and the standard period for epids and the standard period for epids and accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 39-41 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5) Claim(s) 39-41 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) 39-41 is/are objected to. 8) Claim(s) 39-41 is/are objected to by the Examiner. 10) The drawing(s) filed on 99 January 2002 is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 36 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some *Cill None of: 1. Certified cop			10/003,436	VEERASAMY ET AL.				
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2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 39-41 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 09 January 2002 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in Application No 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 1) Notice of Praftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date 1) Notice of Informal Patent Application (PTO-152) e) Other: 1) Notice of Informal Patent Application (PTO-152) e) Other:	Status							
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Application/Control Number: 10/003,436

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DETAILED ACTION

Claims 39-41 are pending in this application, which is a CON of Serial Number 09/703,709 now US Patent 6,368,664. The preliminary amendment dated 12/06/01 canceling claims 1-38 and adding new claims 39-41 has been entered.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 39-41 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-39 of U.S. Patent No. 6,368,664.

Although the conflicting claims are not identical, they are not patentably distinct from each other because the incorporation of more than DLC films is an obvious variation.

Claims 39-41 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Patent No. 6,602,371.

Although the conflicting claims are not identical, they are not patentably distinct from each other because the purpose of a windshield is an obvious variation.

Application/Control Number: 10/003,

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Chen whose telephone number is (571) 272-1417. The examiner can normally be reached on 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bc 2/19/04

BRET CHEN PRIMARY EXAMINER